

MEMORANDUM

Agenda Item No. 11(A)(41)

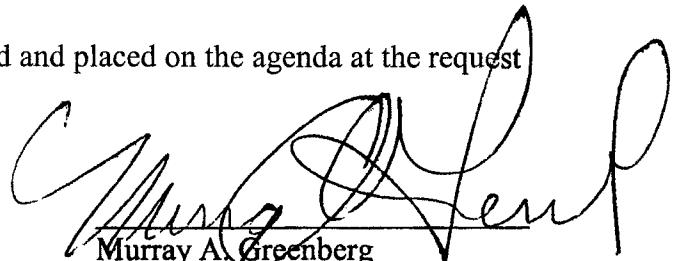
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: October 18, 2005

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution accepting
conveyance of a portion
of NW 24 avenue from
Westview Baptist Church

The accompanying resolution was prepared and placed on the agenda at the request
of Commissioner Dorrin D. Rolle.



Murray A. Greenberg
County Attorney

MAG/jls



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: October 18, 2005

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 11(A)(41)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(41)
10-18-2005

RESOLUTION NO. _____

RESOLUTION ACCEPTING CONVEYANCE OF A PORTION
OF RIGHT-OF-WAY FOR NW 24 AVENUE IMPROVEMENT
PROJECT AND AUTHORIZING PAYMENT THEREFORE

WHEREAS, the Department of Public Works is proceeding with a project under the CICC 7040 Program to widen the roadway along NW 24th Avenue from NW 133rd to NW 135th Streets; and

WHEREAS, the County needs a strip of the land owned by Westview Baptist Church, located at 13301 NW 24th Avenue to complete the project; and

WHEREAS, Westview Baptist Church is willing to convey the land to the County by Right-of-Way deed for the nominal value of \$1,555.00 to cover its time and expenses incurred in cooperating with the County, which sum will be paid as part of project costs,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board authorizes and directs the County Manager to accept the Right-of-Way Deed from Westview Baptist Church attached hereto as Exhibit A, to pay Westview Baptist Church \$1,555.00 out of the Project funds and to record the deed together with the Partial Release of Mortgage attached hereto as Exhibit B in the Public Records of Miami-Dade County.

The foregoing resolution was sponsored by Commissioner Dorrin D. Rolle and offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman
Dennis C. Moss, Vice-Chairman

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Dorrin D. Rolle
Katy Sorenson
Sen. Javier D. Souto

Dr. Barbara Carey-Shuler
Carlos A. Gimenez
Barbara J. Jordan
Natacha Seijas
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 18th day of October, 2005. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Thomas Goldstein

Return to:

Right of Way Division .
Miami-Dade County Public Works Dept. .
111 N.W. 1st Street .
Miami, FL 33128-1970 .

Instrument prepared by: .

John M. White .
Miami-Dade County Public Works Dept. .
111 N.W. 1st Street .
Miami, FL 33128-1970 .
Folio Nos. 30-2127-000-0160,0152 .
User Department: Public Works .

NW 24 AVE.
NW 133 ST-
HW 135 ST
Sec. 27 Twp. 52 Rg. 41

**RIGHT-OF-WAY DEED TO MIAMI-DADE COUNTY
CONVEYS THE TITLE FOR HIGHWAY PURPOSES**

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

THIS INDENTURE, Made this 18th day of July, A.D. 2005, by and between **Westview Baptist Church, Inc.**, a corporation under the laws of the State of Florida and having it's office and principal place of business at 13301 NW 24th Avenue, in Miami, Florida 33167, party of the first part, and **MIAMI-DADE COUNTY**, a political subdivision of the State of Florida, and its successors in interest, whose Post Office Address is 111 N.W. 1st Street, Miami, Florida 33128-1970, party of the second part,

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of One Dollar (\$1.00) to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, does hereby grant, bargain and sell to the party of the second part, and its successors in interest, for the purpose of a public highway and purposes incidental thereto, all the right, title, interest, claim or demand of the party of the first part, in and to the following described land, situate, lying and being in Miami-Dade County, State of Florida, to-wit:

See Exhibit "A" Attached

It is the intention of the party of the first part, by this instrument, to convey to the said party of the second part, and its successors in interest, the land above described for use as a public highway and for all purposes incidental thereto.

It is expressly provided that if and when the said highway shall be lawfully and permanently discontinued, the title to the said above described land shall immediately revert to the party of the first part, its heirs and assigns, and it shall have the right to immediately repossess the same.

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever, claiming by, through or under it.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be executed in its name, and its Corporate Seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Signed, Sealed and Delivered
in our presence: (2 witnesses
for each signature or for all)

[Signature]
Witness

John M. White
Witness Printed Name

[Signature]
Witness

Francisco Fernando
Witness Printed Name

Westview Baptist Church, Inc
Corporate Name Printed

[Signature] (SEAL)
By: President
BARRY R. YOUNG
Printed Name
13301 N.W. 24th Avenue
Address (if different)

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

I HEREBY CERTIFY, that on this 18th day of July, A.D. 2005, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Pastor Barry R. Young, personally known to me, or proven, by producing the following forms of identification: FL Driv. Lic. Y520-076-52-284-0 to be the President of Westview Baptist Church, Inc. a corporation under the laws of the State of Florida, in whose name the foregoing instrument is executed and that said officer severally acknowledged before me that Rev Barry Young executed said instrument acting under the authority duly vested by said corporation and its Corporate Seal is affixed thereto.

WITNESS my hand and official seal in the County and State aforesaid, the day and year last aforesaid.

[Signature]
Notary Signature

John M. White
Printed Notary Signature

NOTARY SEAL/STAMP



John M White
My Commission D0811894
Expires April 20, 2008

Notary Public, State of Florida

My commission expires: 4/20/2008

Commission/Serial No. DD311694

The foregoing was accepted and approved on the ____ day of _____, A.D. 2005, by Resolution No. _____ of the Board of County Commissioners of Miami-Dade County, Florida.

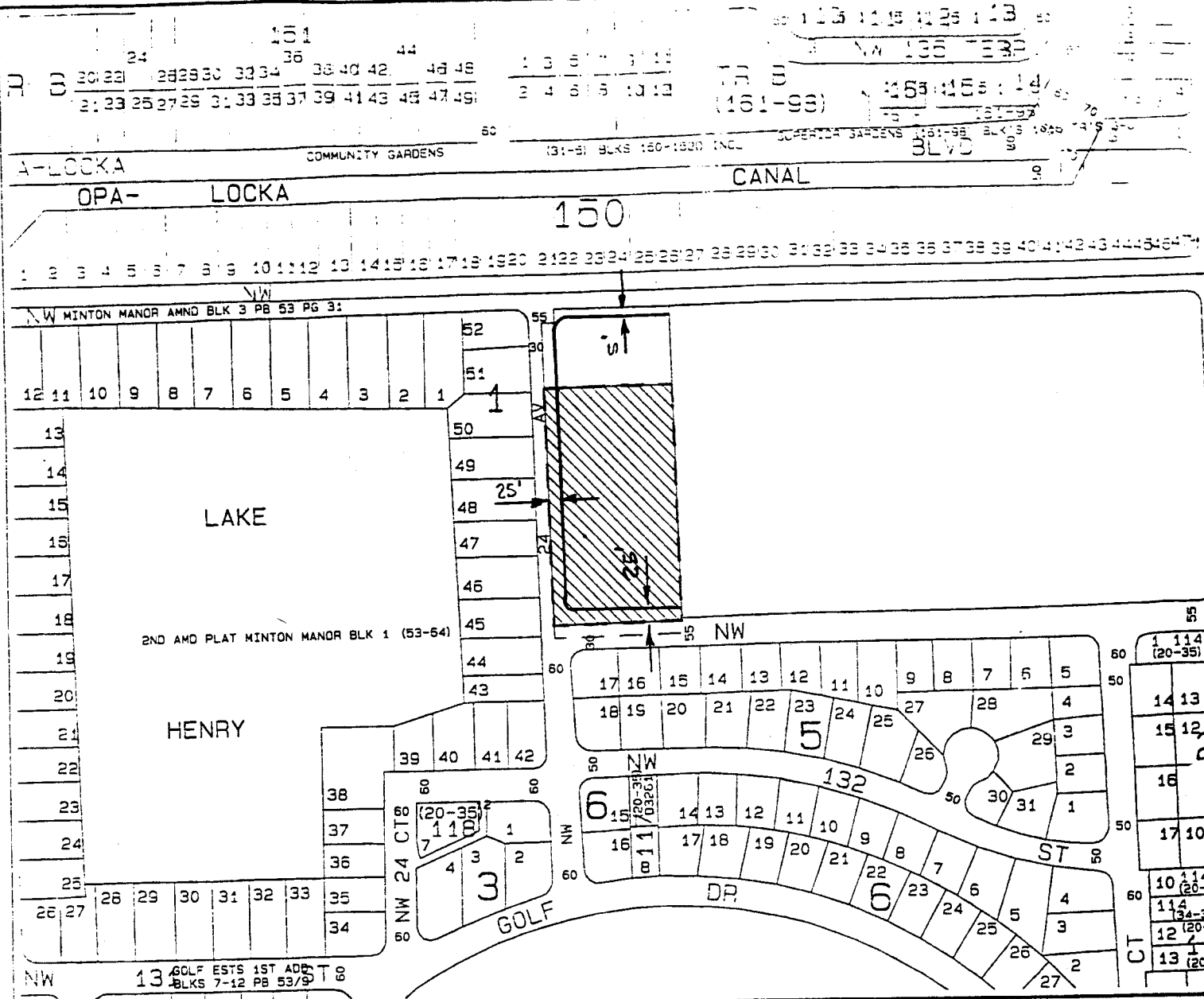
Assistant to the
County Manager

ATTEST: HARVEY RUVIN,
Clerk of said Board

PRINTED NAME

By: _____
Deputy Clerk

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Owner:
WESTVIEW BAPTIST CHURCH INC

13301 NW 24 AVE
MIAMI FL

331671329

Legal:
27 52 41 2.19 AC
W250FT OF S475FT OF N1/2 OF
NE1/4 OF NW1/4 LESS S E & W25FT
LOT SIZE 95396 SQUARE FEET

PTX Area: 95396.0000 SQ FT

RU-1
CD

30-2127-000-0160

13301 NW 24 AVE
Sec 27, Twp 52 S, Rge 41 E
Municipality: UNINCORPORATED

YEAR	2003	2004
LAND	155943	191252
BLDG	619288	643234
MARKET	786231	824486
ASSESS	786231	824486
HEX	0	0
WSVD	0	0
TOT EX	0	0
TAXABLE	786231	824486
STATE EXEMPT:	36	0
SALE DATE		SALE AMT
SALE TYPE	I/V	SALE O/R

MCD 3000
01/01/05

1:3600
IN NOT A SURVEY

04/14/05

EXHIBIT "A"

The W 25 feet and the S 25 feet of the W 250 feet of the S 475 feet of the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 27, Township 52 South, Range 41 East, Miami-Dade County, Florida and the external area formed by a 25 foot radius arc concave to the Northeast tangent to the N line of the S 25 feet of the S 475 feet of the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 27, and tangent to the W line of the W 25 feet thereof.

Approved as description

Date 6/6/05
N.I.

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Return to:

Right of Way Division .
Miami-Dade County Public Works Dept. .
111 N.W. 1st Street .
Miami, FL 33128-1970 .
Instrument prepared by: John White .
Real Estate Officer .
Miami-Dade County Public Works Dept. .
Dade County Public Works Dept. .
111 N.W. 1st Street .
Miami, FL 33128-1970 .
Folio Nos.: 30-2127-000-0152,0160 .
User Department: Public Works .

PARTIAL RELEASE OF MORTGAGE TO MIAMI-DADE COUNTY

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

THIS PARTIAL RELEASE OF MORTGAGE, Made and entered into by and between Florida Baptist Convention, Inc., whose address is 1230 Hendricks Avenue, Jacksonville, FL 32207, party(ies) of the first part, and **MIAMI-DADE COUNTY**, a political subdivision of the State of Florida, whose Post Office address is 111 N.W. 1st Street, Miami, Florida 33128-1970, as party of the second part.

WITNESSETH:

That the party(ies) of the first part, in consideration of the sum of One Dollar (\$1.00) to _____ duly paid by the party of the second part, the receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, does(do) hereby release from that certain mortgage executed by Westview Baptist Church, Inc., to and in favor of Florida Baptist Convention, Inc., dated October, 2001, and now appearing of record in the Public Records of Miami-Dade County, Florida in Official Records Book 19965, at Page 2390, and from the lien thereof, all the following described tract of land situate in Miami-Dade County, State of Florida, which may be covered by or embraced in the said mortgage, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

EXHIBIT B

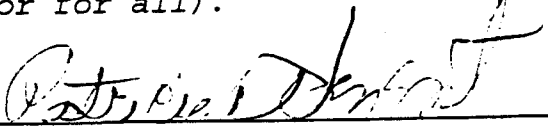
partial rel.-FL. Baptist

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The same to be and forever remain freed, exonerated and discharged of from the lien of said mortgage, and every part thereof; **PROVIDED**, always, nevertheless, that nothing herein contained shall in anywise impair, alter or diminish the effect of the lien of encumbrance of the aforesaid mortgage on the remaining part of said mortgaged premises, not hereby released there from, or any of the rights and remedies of the holder thereof.

IN WITNESS WHEREOF, the said party(ies) of the first part has(have) hereunto set _____ hand(s) and seal(s) this 8th day of August, A.D. 2005.

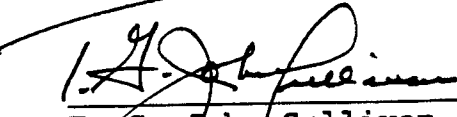
Signed, Sealed, Attested and delivered in our presence:
(2 witnesses for each signature or for all).


Witness

Patricia A. Vansant
Printed Name


Witness

ALLISON WALKER
Printed Name


T. G. John Sullivan,
Registered Agent

T.G. JOHN SULLIVAN
Printed Name

Address if different

(SEAL)

EXHIBIT "A"

The W 25 feet and the S 25 feet of the W 250 feet of the S 475 feet of the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 27, Township 52 South, Range 41 East, Miami-Dade County, Florida and the external area formed by a 25 foot radius arc concave to the Northeast tangent to the N line of the S 25 feet of the S 475 feet of the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 27, and tangent to the W line of the W 25 feet thereof.

Approved as description

Date 6/6/05

N.R.